

REMARKS

In the Final Office Action of March 21, 2008, the specification was objected to for apparently not following the suggested guidelines for the preferred layout for 5 the specification of a utility application, as provided in 37 C.F.R. §1.77(b). In addition, claims 1, 2, 4, 5, 7-12, 14-21 and 23-29 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,396,612 B1 (“Bjorndahl”) in view of U.S. Patent No. 6,377,811 B1 (“Sood et al.”). In addition, claims 3, 6, 13 and 22 were rejected under 35 U.S.C. §103(a) as allegedly being 10 unpatentable over Bjorndahl and Sood et al. in view of U.S. Patent Application Pub. No. 2002/0186846 A1 (“Nyberg et al.”) or U.S. Patent Application Pub. No. 2003/0007641 A1 (“Kinoshita”).

With respect to the specification objection, Applicants respectfully decline to 15 add the section headings because the suggestions provided in 37 C.F.R. §1.77(b) are not statutorily required for filing a non-provisional patent application under 35 USC §111(a), but per 37 C.F.R. § 1.51(d) are only guidelines that are suggested for 20 Applicants' use. The section headings are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, stated in the Official Gazette:

25 “Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, the Office will not require any application to comply with the format set forth in 1.77.”

In view of the above, Applicants respectfully decline to amend the specification to 30 include the suggested section headings and request that the specification objection be withdrawn.

With respect to the claim rejections, Applicants have amended the 35 independent claims 1, 11 and 20 to more clearly distinguish the claimed invention from the cited references of Bjorndahl and Sood et al. As amended, Applicants respectfully assert that the independent claims 1, 11 and 20 are not obvious in view of

Bjorndahl and Sood et al., as explained below. In view of the claim amendments and the following remarks, Applicants respectfully request that the pending claims 1-29 be allowed.

5 I. Patentability of Amended Independent Claims 1, 11 and 20

As amended, the independent claim 1 includes the limitation of “*the interfaces including at least two of a Bluetooth interface, an infra-red light interface, a wireless large area network interface.*” The support for this claim amendment can be found at 10 least on page 8, lines 32-34, of the specification. This claim limitation is not disclosed in the cited references of Bjorndahl and Sood et al. Thus, Applicants respectfully assert that the amended independent claim 1 is not obvious in view of the cited references of Bjorndahl and Sood et al., and request that the amended independent claim 1 be allowed.

15

As correctly stated on page 4 of the Office Action, the cited reference of Bjorndahl “doesn’t teach specifically, wherein the electrical circuit includes a plurality of interfaces configured for communication over the first communication channel.” As such, the cited reference of Bjorndahl also does not disclose “*the interfaces including at least two of a Bluetooth interface, an infra-red light interface, a wireless large area network interface,*” as recited in the amended independent claim 20 1.

25

The cited reference of Sood et al. discloses in column 9, lines 17-33, that at least one base station is interfaced with a plurality of wireless communication channels, where the channels are separate radio or microwave frequency allocations, or channels differentiated with respect to time or spread spectrum codes. However, the cited reference of Sood et al. does not disclose “*the interfaces including at least two of a Bluetooth interface, an infra-red light interface, a wireless large area network interface,*” as recited in the amended independent claim 30 1.

Since the cited references of Bjorndahl and Sood et al. do not disclose the claim limitation of “*the interfaces including at least two of a Bluetooth interface, an infra-red light interface, a wireless large area network interface,*” the amended

independent claim 1 is not obvious in view of these cited references. Therefore, Applicants respectfully request that the amended independent claim 1 be allowed.

5 The above remarks are also applicable to the amended independent claims 11 and 20, which recite limitations that are similar to those of the amended independent claim 1. Thus, Applicants respectfully assert that the amended independent claims 11 and 20 are also not obvious in view of the cited references of Bjorndahl and Sood et al., and request that the amended independent claims 11 and 20 be allowed as well.

10 II. Patentability of Dependent Claims 2-10, 12-19 and 21-29

15 Each of the dependent claims 2-10, 12-19 and 21-29 depends on one of the amended independent claims 1, 11 and 20. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicants submit that these dependent claims are allowable for at least the same reasons as their respective base claims.

20 As an example, the dependent claim 7 recites the limitations of “*wherein the communication enable information item contains an interface type information item which indicates the interfaces that are available in the communication partner device for communication over the first communication channel.*” Since the cited references of Bjorndahl and Sood et al. do not disclose the claim limitation of “*the interfaces including at least two of a Bluetooth interface, an infra-red light interface, a wireless large area network interface,*” these cited references also do not disclose the 25 limitations of “*wherein the communication enable information item contains an interface type information item which indicates the interfaces that are available in the communication partner device for communication over the first communication channel,*” as recited in the dependent claim 7. Thus, the dependent claim 7 is not obvious in view of the cited references of Bjorndahl and Sood et al.

30

As another example, the dependent claim 8 recites the limitations of “*wherein the communication enable information item contains, in addition to the interface type information item, an interface preference information item which signifies one of the interfaces that is preferred in the communication partner device containing the*

communication enable information item.” Again, since the cited references of Bjorndahl and Sood et al. do not disclose the claim limitation of “*the interfaces including at least two of a Bluetooth interface, an infra-red light interface, a wireless large area network interface*,” these cited references also do not disclose the

5 limitations of “*wherein the communication enable information item contains, in addition to the interface type information item, an interface preference information item which signifies one of the interfaces that is preferred in the communication partner device containing the communication enable information item*,” as recited in the dependent claim 8. Thus, the dependent claim 8 is not obvious in view of the

10 cited references of Bjorndahl and Sood et al.

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

15

Respectfully submitted,
Harnisch et al.

20

Date: May 20, 2008

By:/thomas h. ham/
Thomas H. Ham
Registration No. 43,654
Telephone: (925) 249-1300